

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

vs.

DARREN L. FRYSON,

Defendant.

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) Case No. 2:21-cr-352
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ORDER

Before the Court is Mr. Fryson's motion for early termination of probation (ECF 3). On June 17, 2021, Mr. Fryson was sentenced to three years of probation by Judge John Bailey in the Northern District of West Virginia. His case was transferred to this Court on August 19, 2021, and he has been supervised by the probation office of the Western District of Pennsylvania since that time. Mr. Fryson has served a little over 20 months of his 36-month probation sentence, and now asks for early termination so that he can apply for training for a union job at a shipyard in Virginia. He explains that his probation status currently renders him ineligible for that job. The government, for its part, opposes the early termination.

After careful consideration of the motion, the government's response, the recommendation of the probation office, further conferral with Mr. Fryson's probation officer, and review of Mr. Fryson's presentence report, the Court grants the motion. Weighing all of the factors under 18 U.S.C. § 3583(e), as required, the Court finds that early termination is warranted by Mr. Fryson's conduct and is in the interest of justice.

The government points to Mr. Fryson's original Guidelines range of 78-97 months and notes that a three-year probation sentence is already a significant reduction in Mr. Fryson's sentence, based on the seriousness of his crime. That's true. But Judge Bailey, in effect, already considered that argument and effectively rejected

it when he varied Mr. Fryson's sentence down significantly. What's more important to this Court at this stage is that Mr. Fryson has little recent criminal history (only one prior criminal history point, as of the date of his PSR), has been fully compliant for the last 20 months of probation, and has a good reason for his early termination – *i.e.*, a shipyard training program that aligns with his skills and provides him with a positive career path.

For these reasons, Mr. Fryson's motion is hereby **GRANTED**, and his sentence of probation is hereby terminated as of this date.

DATE: February 24, 2023

BY THE COURT:

/s/ J. Nicholas Ranjan
United States District Judge